

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:23-CV-614-FL

KYLE MORGAN,

Plaintiff,

v.

CHRISTY MICHELLE DAVIS, as a
trustee of R. Earl Davis Generation
skipping exempt trust, and MICHAEL
CHRISTOPHER SETZER, as a trustee of
R. Earl Davis Generation skipping exempt
trust,

Defendants.

ORDER

This matter is before the court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge Robert B. Jones, Jr. (DE 5), regarding plaintiff’s motion for leave to proceed in forma pauperis. No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

Upon careful review of the M&R and of the record generally, having found no clear error, the court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, plaintiff’s motion (DE 2) is DENIED. Plaintiff is DIRECTED to tender to the clerk the filing and administrative fee of \$405.00 before his complaint is allowed to proceed. In the event plaintiff does not tender such fees on or before April 6, 2024, the clerk is DIRECTED to close this case for failure to prosecute, without further order of the court.

SO ORDERED this the 11th day of March, 2024.

A handwritten signature in black ink, reading "Louise W. Flanagan", written over a horizontal line.

LOUISE W. FLANAGAN
United States District Judge